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OFFICE OF PETITIONS

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In re Application of	:	
Bidyut Parruck et al.	:	
Application No. 09/539,461	:	DECISION ON PETITION
Filed: March 30, 2000	:	UNDER 37 C.F.R. § 1.137(a)
Attorney Docket No.: AZA-006	:	
Title: ROUTERS FOR SWITCHING ATM	:	
CELLS IN A PACKET-LIKE MANNER	:	
USING A PACKET SWITCH	:	

This is a decision on the petition under 1.137(a)¹, filed October 28, 2004, to revive the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR §1.113 in a timely manner to the final Office action mailed January 5, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR §1.136(a) were obtained. Accordingly, the above-identified application became abandoned on April 6, 2004.

With the instant petition, Petitioner has submitted a Request for Continued Examination (RCE) under 37 C.F.R. §1.114, including a request for consideration of a concurrently submitted amendment and payment of the RCE fee. The RCE has been accepted as the required reply under 37 C.F.R. §1.137(a)(1). It is noted that on June 5, 2000 and July 24, 2000, two changes of correspondence addresses were filed, and neither was effectuated by the Office². As such, it has been established that the entire period of delay was unavoidable.

¹ A grantable petition pursuant to 37 CFR 1.137(a) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(l);
- (3) A showing to the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unavoidable;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

² It is further noted that the non-final action of September 11, 2003 was mailed to the original address of record. It does not appear the Petitioner made note of the failure to effectuate the changes of address with his response to this non-final action received November 28, 2003.

As such, the petition is **GRANTED**.

The application file is being forwarded to Technology Center 2600 for consideration of the submission under 37 C.F.R. §1.114, the amendment filed with the present petition.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



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